

REMARKS

Claims 1-31 are pending in this application. By this Amendment, the title of the invention is amended; the Abstract is amended; the specification is amended; and claims 1, 2, 5-9, 12-15, 18-22 and 25-31 are amended. No new matter is added. In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Nolan in the September 21 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Information Disclosure Statement

The Office Action erroneously returned an acknowledgment of Information Disclosure Statement that does not belong to the above-identified application. A copy of the erroneously returned acknowledgment that should properly belong with another Application 09/949,337 is attached for the Examiner's corrective action.

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on November 14, 2001. Applicants have not yet received from the Examiner a copy of the Form PTO-1449 initialed to acknowledge the fact that the Examiner has considered the disclosed information. The Examiner is requested to initial and return to the undersigned a copy of the Form PTO-1449. For the convenience of the Examiner, a copy of that form is attached.

II. The Drawings Satisfy All Formal Requirements

The Office Action objects to the drawings under 37 C.F.R. §1.84(p)(5). The Office Action asserts that Figs. 7 and 9 have numbers 1 and 2 that are not explained. In response, the specification at paragraphs [0059] and [0062] are amended to explain panels 1 and 2 as shown in Figs. 7 and 9. Withdrawal of the objection to the drawings is respectfully requested.

III. The Specification Satisfies All Formal Requirements

The Office Action objects to the specification under 37 C.F.R. §1.75(d)(1) and MPEP § 608.01(o). Specifically, the Office Action objects to the Abstract, paragraphs [0031] and [0066] and the title of the invention. In response, the Abstract, paragraphs [0031] and [0066], and the title of the invention are amended. Withdrawal of the objection to the specification is respectfully requested.

IV. The Claims Satisfy All Formal Requirements

The Office Action objects to claims 1, 2, 5, 7-9, 12, 13, 18-21, 25, 27 and 30 for informalities. As discussed during the interview, claims 1, 2, 5, 7-9, 12, 13, 18-21, 25, 27 and 30 are amended to obviate the objection. Withdrawal of the objection to the claims is respectfully requested.

V. The Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claim 27 under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Office Action asserts that "second language reading level" and "previously determined typical second language errors" lack antecedent bases. As discussed during the interview, claim 27 is amended to obviate the rejection. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph, is respectfully requested.

VI. The Rejection under 35 U.S.C. §102(b) over Komissarchik

The Office Action rejects claims 1 and 14 under 35 U.S.C. §102(b) over U.S. Patent No. 5,799,276 to Komissarchik et al. ("Komissarchik"). This rejection is respectfully traversed.

As discussed during the interview, Komissarchik does not disclose "determining word recognition errors based on comprehension of a word using at least one comprehension aid provided to the user," as recited in claim 1; and "a comprehension aid display circuit for displaying comprehension aids to the user based on determined recognition errors," as recited in claim 14. Komissarchik does not relate to using comprehension aids that are provided to a

user for providing dynamic personalized reading instruction. Komissarchik relates to a knowledge based speech recognition apparatus and methods for translating an input speech signal to text (Abstract). However, Komissarchik does not provide a dynamic personalized reading instruction, and more specifically, does not disclose using at least one comprehension aid provided to the user, as recited in claims 1 and 14. Accordingly, Komissarchik does not anticipate the subject matter of claims 1 and 14.

Claims 1 and 14 are not anticipated by Komissarchik. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

VII. The Rejection Under 35 U.S.C. §102(b) Over Rtischev

The Office Action rejects claims 28 and 30 under 35 U.S.C. §102(b) over U.S. Patent No. 5,634,086 to Rtischev et al. ("Rtischev"). This rejection is respectfully traversed.

Rtischev does not disclose "instructions for determining word recognition errors based on comprehension of a word using at least one comprehension aid provided to the user," as recited in claims 28 and 30. Rtischev does not relate to a personalized reading instruction in which at least one comprehension aid is provided to a user for word comprehension. Rtischev relates to a spoken-language instruction method and apparatus which employs context-based speech recognition for instruction and evaluation. However, the context-based speech recognition pertains to the machine, but does not serve to provide comprehension of a word to a user using a comprehension aid as claimed. Accordingly, Rtischev does not anticipate the subject matter or claims 28 and 30.

Claims 28 and 30 are not anticipated by Rtischev. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

VIII. The Rejection of Claims 2-5 and 15 under 35 U.S.C. §103(a)

The Office Action rejects claims 2-5 and 15-18 under 35 U.S.C. §103(a) over Komissarchik in view of U.S. Patent No. 4,456,973 to Carlgren et al ("Carlgren"). This rejection is respectfully traversed.

Regarding claims 2-5, as previously discussed, Komissarchik does not disclose or suggest "determining word recognition errors based on comprehension of a word using at least one comprehension aid provided to the user," as recited in claim 1; and regarding claims 15-18, as previously discussed, Komissarchik does not disclose or suggest "a comprehension aid display circuit for displaying comprehension aids to the user based on determined recognition errors," as recited in claim 14. Carlgren does not cure the deficiencies of Komissarchik.

Komissarchik discloses a knowledge based speech recognition apparatus and method provided for translating an input speech signal to text. Carlgren discloses a system for proofreading a text document and detecting and replacing text words in the document based on the understanding level for the documents intended audience (Abstract). However, Komissarchik and Carlgren, individually or in combination, do not disclose or suggest using at least one comprehension aid provided to a user for a dynamic personalized reading instruction as claimed. For the foregoing reasons, Komissarchik and Carlgren do not teach or suggest the claimed invention.

Claims 1 and 14 would not have been rendered obvious by Komissarchik in view of Carlgren. Thus, claims 2-5 and 15-18 would not have been rendered obvious by Komissarchik and Carlgren. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IX. The Rejections of Claims 6-12 and 19-25 Under 35 U.S.C. §103(a)

The Office Action rejects claims 6-12 and 19-25 under 35 U.S.C. §103(a) over U.S. Patent No. 6,366,759 to Burstein et al. ("Burstein") in view of Carlgren; and rejects claims 9-12 and 22-25 under 35 U.S.C. §103(a) over Burstein in view of Carlgren and further in view of Komissarchik. These rejections are respectfully traversed.

Burstein does not disclose or suggest "determining comprehension of the text using at least one comprehension aid provided to the user," as recited in claim 6; and "a comprehension question generating circuit for generating comprehension questions to the user based on the grammatical tunable text summary," as recited in claim 19. Carlgren and Komissarchik do not make up for the deficiencies of Burstein.

Burstein discloses a method of grading an essay using an automated scoring system (Abstract). The method is not interactive, and is not intended to provide either the comprehension aid or the comprehension questions to the user as respectively claimed. Carlgren is a system for proofreading a text document and automatically detecting and replacing text words in the document based on the intended audience (Abstract). However, Carlgren also does not interactively provide comprehension aid or a comprehension question to the user as respectively claimed. Komissarchik relates to a knowledge based speech recognition, but does not pertain to the subject matter of determining word recognition errors based on comprehension of a word by a user. Thus, no comprehension aid or comprehension question is disclosed or suggested by Komissarchik. For the foregoing reasons, Burstein in view of Carlgren and further in view of Komissarchik do not teach or suggest the claimed invention.

Claims 6 and 19 would not have been rendered obvious by Burstein in view of Carlgren. Claims 7-12 depend from claim 6 and claims 20-25 depend from claim 19, and thus, claims 7-12 and 20-25 also would not have been rendered obvious by Burstein in view of Carlgren. Likewise, claims 9-12 and 22-25 also would not have been rendered obvious by Burstein in view of Carlgren and further in view of Komissarchik. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

X. The Rejections of claims 13, 26, 29 and 31 under 35 U.S.C. §103(a)

The Office Action rejects claim 13 under 35 U.S.C. §103(a) over Komissarchik in view of Carlgren and further in view of Burstein; rejects claim 26 under 35 U.S.C. §103(a) over Carlgren in view of Komissarchik and further in view of Rtischev; and rejects claims 29 and 31 under 35 U.S.C. §103(a) over Carlgren in view of Burstein. These rejections are respectfully traversed.

Komissarchik does not disclose or suggest "determining word recognition error based on comprehension of a word using at least one comprehension aid provided to the user," as recited in claim 13; Carlgren does not disclose or suggest "a comprehension aid display circuit for displaying comprehension aids to the user based on determined recognition errors," as recited in claim 26; and Carlgren does not disclose or suggest "instructions for determining comprehension of the text using at least one comprehension aid provided to the user," as recited in claims 29 and 31. Carlgren and Burstein; Komissarchik and Rtischev; and Burstein do not cure the deficiencies of Komissarchik, Carlgren, and Carlgren, respectively.

As discussed above, Komissarchik discloses a knowledge based speech recognition apparatus and methods provided for translating an input speech signal to text (Abstract), but does not relate to providing a comprehension aid or comprehension question to the user as claimed. Likewise, Carlgren discloses a system for proofreading a text document and detecting and replacing text words in the document; Burstein discloses a method of grading an essay using an automated essay scoring system; and Rtischev discloses a spoken-language instruction method and apparatus employing context-based speech recognition for instruction and evaluation, but Carlgren, Burstein and Rtischev do not disclose or suggest instruction for determining comprehension of a text using at least one comprehension aid provided to the user as claimed. For the foregoing reasons, Komissarchik, Carlgren, Burstein and Rtischev do not teach or suggest the claimed invention.

Claim 13 would not have been rendered obvious by Komissarchik in view of Carlgren and further in view of Burstein; claim 26 would not have been rendered obvious by Carlgren in view of Komissarchik and further in view of Rtischev; and claims 29 and 31 would not have been rendered obvious by Carlgren in view of Burstein. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

XI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-31 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:RJK/can

Attachment:

Returned IDS Acknowledgment for Application 09/949,337 Form PTO 1449
(November 14, 2001)
PTO-1449 for this Application
Abstract (Amended)
Substitute Abstract

Date: September 28, 2004

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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ABSTRACT OF THE DISCLOSURE

Techniques for dynamic personalized reading instruction at word and sentence level are provided by determining word recognition level and learning gradient information for a user. Comprehension aids are associated with words classified by word recognition level and stored. Word recognition errors are ~~determined~~determined, comprehension aids presented and word recognition level adjusted based on determined word recognition errors, learning gradient and current word recognition level. For sentence level dynamic personalized reading instruction personalization information, reading level and learning gradient are determined and a personalized grammatical tunable text summary generated. Based on the personalized grammatical tunable text summary, comprehension questions are generated and displayed. Based on comprehension responses, learning gradient and personalization information, the reading level is adjusted. Personalized reading instruction is provided by selectively changing display attributes of more salient information to help a user identify the important information in the sentence and to maintain fluid reading.

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a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/949,337
				Filing Date	September 7, 2001
				First Named Inventor	William D. Walker, Jr.,
				Group Art Unit	2641
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	5160-10

[illegible][illegible]

Examiner Signature	<i>Cheryl K. Khan</i>	Date Considered	3-9-04
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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